

**Introduced by Senator Kehoe**

February 24, 2006

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An act to add Section 1263.630 to the Code of Civil Procedure, relating to eminent domain.

LEGISLATIVE COUNSEL'S DIGEST

SB 1650, as introduced, Kehoe. Eminent domain: future uses.

Existing law requires the governing body of a public entity to adopt a resolution of necessity, as specified, and send related notices before commencing an eminent domain proceeding.

This bill would require the governing body of a public entity to adopt a new resolution of necessity and send related notices before the public entity may use the property, in whole or in part, for a public use other than the public use for which the public entity originally acquired the property.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. Section 1263.630 is added to the Code of Civil
- 2     Procedure, to read:
- 3     1263.630. Before a public entity may use any property that it
- 4     acquired by eminent domain, in whole or in part for a public use
- 5     other than the public use for which the public entity acquired the
- 6     property, the governing body of the public entity shall adopt a
- 7     new resolution of necessity pursuant to Article 2 (commencing
- 8     with Section 1245.210) of Chapter 4. The notice required
- 9     pursuant to that article shall be sent to each person who was

- 1 given the notice required by Section 1245.235 in connection with
- 2 the original acquisition by the public entity.

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